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NEWS TALK 78

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August 27, 1998 **FCC MAIL ROOM**

Secretary
Federal Communications Commission
1919 M Street, N.W.
Washington, D.C. 20554

Comments on **MM Docket 98-93:**

As a third generation and life-long broadcaster, I am appalled at some of the recent proposals being floated about at the FCC. Most recent among the list of ill-advised propositions is the suggestion to reclassify (in our situation it amounts to declassification) Class C stations in Class C and CO categories.

Approximately 10 years ago KEXL FM in Norfolk, NE, spent in excess of \$250,000 to erect a new 1,000 foot tower in response to the mid-80's reclassification. At that time, we and others like us were told that we had to meet the 300-600 meter HAAT standard. Again, we were given this *range* and the promise of protection up to the maximum. There was no admonition against broadcasters attempting to "warehouse spectrum" as seems to be the position of some within the FCC staff *today*.

Let me assure you that we did not choose to build a 1,000 foot tower simply because we could cheap out and protect ourselves. The difference between the tower we

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chose and the Class C maximum would have made our investment closer to \$500,000 instead of the \$250,000+. In a smaller, that difference is not recouped overnight. Apparently at that time there was still some degree of sensitivity as to the financial resources of broadcasters.

Not every station has been bought by and folded into a consolidated group with seemingly endless financial resources. Does anyone still care about the stand alone broadcasters with one or two licenses striving to serve their *local* community and area.

It seems the original mandate of the Federal Communications Commission to allocate spectrum, issue licenses, and establish and maintain consistent guidelines and standards has given way to doing whatever is necessary with the spectrum to generate additional dollars for the federal coffers.

The result of this thinking, in combination with proposed "negotiated interference agreements" and changes to adjacent interference will create something equally as bad as the Docket 80-90 debacle. It will AMize the FM band, give unnecessary legitimacy to the pirates and others who don't like playing by the rules, and emasculate any serious development of in-band, on-channel digital for the AM broadcasters of America.

The public rationale that any part of this will truly foster long-term minority involvement in broadcasting is also somewhat suspect. I believe minorities should have equal opportunity to participate in this industry, but do some checking on how many minorities used past credits to buy and HOLD their properties. And this isn't just a minority issue. It's a philosophical issue with which the Commission must come to grips.

Are we in this business to operate in the public interest with the hope of making a living and some profit, or has Broadcasting become just another commodity to be traded?

I believe the Federal Communications Commission has the obligation to maintain and foster development of terrestrial broadcasting with rules that address the articulated needs of broadcasters and their viewers/listeners. Is the FCC operating in the public interest, or as a catalyst to satisfy the fiscal appetite of government and private interests?

Please, I hope the Commission will reconsider its position on MM Docket 98-93 and not attempt to impose a new CO class within the FM band nor a myriad of low power facilities that will simply junk up the FM band and drive even more legitimate broadcasters to sell out to the highest bidder or just get out of the business. One can't help but wonder what is going to happen when the leveraged base of our consolidating industry begins to unravel when economic times change.

With best regards,

A handwritten signature in black ink, appearing to read "Robert G. Thomas", with a stylized flourish at the end.

Robert G. Thomas
Vice President/General Manager
WJAG & KEXL